

REMARKS

Introduction

Claims 1 - 19 were originally pending in this application. Claims 1, 2, 6, 8, and 9 were previously amended, claims 20 and 21 were previously added, and claims 2 – 14, and 20 were previously cancelled. Claim 1 has been amended herein to comply with a suggestion made by the Examiner in the latest Office Action and to otherwise better define the invention and present the claims in better form for consideration on appeal. Thus, claims 1, 15 – 19, and 21 remain pending for consideration in the application. No new matter has been added.

Claim Rejections

35 U.S.C. §103(a)

Claims 1, 15, 17 – 19, and 21 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the Hansen '586 patent in view of the Kuntz '880 patent. Moreover, claim 16 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over the Hansen '586 patent in view of the Kuntz '880 patent as applied to the claims above and further in view of the Sammons '202 patent.

In an effort to advance this case toward allowance, each of independent claims 1 and 21 has been amended herein to include a limitation suggested by the Examiner. In view of these amendments, the applicants cannot agree that the invention defined in each of amended claims 1 and 21 would have been obvious over the Hansen '586 patent in view of the Kuntz '880 patent. Each of claims 15 - 19 is ultimately dependent upon amended claim 1. Accordingly, these rejections are respectfully traversed.

The Prior Art

The Hansen '586 Patent

The Hansen '586 patent discloses a portable desk 10 for hanging from the rear portion 56 of a seat back 54. The desk 10 includes a table board 12 having substantially planar upper and lower surfaces 14, 16, a top portion 22, and a bottom portion 24. Each of a pair of mounting brackets 28, 30 has a mounting portion 32, 36 securable to the lower surface 16 of the table board 12 and an attachment portion 34, 38 extending beyond the top portion 22 of the table board 12. The attachment portion 34, 38 includes a connection member 40, 42 for releasable attachment to a top 58 of the seat back 54. Support members 46, 48 extend from the lower surface 16 of the table board 12 for bracing the table board 12 against the rear portion 56 of the seat back 54 to define an operational angle of the desk 10 relative to the seat back 54. Finally, a support ledge 26 is disposed along the upper surface 14 of the table board 12 near the bottom portion 24 to provide a brace for materials placed on the upper surface 14 of the table board 12 during use of the desk 10.

In operation, the attachment portions 34, 38 of the respective mounting brackets 28, 30 are placed underneath the top 58 of the seat back 54 so as to engage the corresponding connection members 40, 42 with the top 58. Thus, the top 58 seats in juncture 60, which is defined between the connection members 40, 42 and their respective attachment portions 34, 38. Once this engagement has been accomplished, the table board 12 is allowed to fall and rotate about the juncture 60.

However, the Hansen '586 patent does not disclose or suggest a portable tray for use at multiple locations of the interior of a vehicle including a spring-biased dowel. More specifically, this patent fails to disclose or suggest the spring-biased dowel integrally and unitarily connected to and extending at and along an edge of a body of the tray and adapted to be removably disposed between and in contacting relationship with a pair of opposed, spaced structural components of the

interior of the vehicle and apply a retaining force in opposite directions with respect to the disposition of the spring-biased dowel and against the structural components. In this way, the body is operatively supportable to the interior of the vehicle in cantilevered and stationary fashion. The Hansen '586 patent also does not disclose or suggest a vehicle including an interior having a plurality of structural components and a tray of the type described above.

The Kuntz '880 Patent

The Kuntz '880 patent discloses a tissue-roll mounting bracket 43, a roll of toilet tissue 24, and a toilet-tissue mounting roll 50. The mounting roll 50 includes a left side 22 having an outer portion 39 of reduced diameter and a right side 23 having an outer portion 40 of reduced diameter. The mounting bracket 43 has a left-side portion 41 and a right-side portion 42. The outer portion 40 of the right side 23 of the mounting roll 50 has an outwardly-biased right stub portion 44, and the outer portion 39 of the left side 22 of the mounting roll 50 has an outwardly-biased left stub portion 45. Partial opening 48 in the right-side portion 42 of the mounting bracket 43 allows for reception of the right stub portion 44 in the right-side portion 42 of the mounting bracket 43 whereas partial opening 49 of the left-side portion 41 of the mounting bracket 43 allows for reception of the left stub portion 45 in the left-side portion 41 of the mounting bracket 43.

However, the Kuntz '880 patent does not disclose or suggest a portable tray for use at multiple locations of the interior of a vehicle. The Kuntz '880 patent also does not disclose or suggest a vehicle including an interior having a plurality of structural components and a tray of the type described above.

The Sammons '202 Patent

The Sammons '202 patent discloses a serving tray adapted to be secured to a dashboard of an automobile and swung outwardly when it is desired to use the tray and about a pivot to be positioned behind or forwardly of the dashboard when the tray is not in use. The tray includes a body portion 1 formed with an upstanding flange 2 surrounding the body portion 1. A pair of spaced combined-bearing-and-hinge members 3, 4 are integrally formed with the body portion 1 and located on one side and adjacent opposite ends of the tray. Locking means are formed in the combined-bearing-and-hinge member 3, 4 for supporting the tray in an extended position when the tray is in use and for locking the tray in a retracted or hidden position when the tray is not in use.

However, the Sammons '202 patent does not disclose or suggest a portable tray for use at multiple locations of the interior of a vehicle including a spring-biased dowel and at least one leg. The Sammons '202 patent also does not disclose or suggest a vehicle including an interior having a plurality of structural components and a tray of the type described above.

The Present Invention

In contrast to the references of record in this case, the present invention as described in independent claim 1, as amended, is directed toward a portable tray for use at multiple locations of the interior of a vehicle. The tray includes a body adapted to be operatively supported to the interior of the vehicle and defines at least one substantially planar work surface. A spring-biased dowel is integrally and unitarily connected to the body and is adapted to removably support the body to a pair of opposed, spaced structural components of the interior of the vehicle such that the tray can be manually moved and used at various locations within the interior of the vehicle. The spring-biased dowel extends at and substantially along an edge of the body and is adapted to be disposed between

and in contacting relationship with the structural components and apply a retaining force in opposite directions with respect to the disposition of the spring-biased dowel and against the structural components. The body is operatively supportable to the interior of the vehicle in cantilevered and stationary fashion. The body includes at least one leg extending from the body and adapted to be supported against at least one structural component of the interior of the vehicle such that the tray is operatively supportable against the interior of the vehicle in non-cantilevered and stationary fashion.

Also in contrast to the references of record in this case, the present invention as described in new independent claim 21 is directed toward a vehicle including an interior having a plurality of structural components and a tray of the type described above.

Argument

35 U.S.C. § 103(a)

In the “Response to Arguments” section of “Office Action,” the Examiner states:

It is noted that the term “integral” defines a structure that is part of a whole. As such, the prior art teaches such. However, the prior art does not teach a spring-biased dowel integrally and **unitarily** formed that is positioned at and extends along an end (edge).

In view of the Examiner’s suggestions and although the applicants do not agree with the Examiner that the prior art teaches structure able to function as claimed, the applicants have amended each of claims 1 and 21 herein to include the limitation that the spring-biased dowel is **unitarily** connected to the body. Support for this amendment is found in Paragraph 31 of the application, where it states that the support mechanism 50 (the spring-biased dowel 50) can be integrally connected to the body 46 and define the longitudinal edge 52 of the body 46. Stated another way, the spring-biased dowel 50 can be integrally and unitarily connected to the body 46. Therefore, it is respectfully submitted that the structure of the portable tray defined in amended

claims 1 and 21 to enable the tray to function as claimed is now better defined. As such, favorable consideration of patentability of amended claims 1 and 21 is respectfully requested.

The applicants respectfully submit that the deficiencies in the teachings of the combination of the Hansen '586 and Kuntz '880 patents are not overcome in the disclosure of the Sammons '202 patent. Thus, none of the references, alone or in combination with either or both of the other references, discloses or suggests the portable tray for use at multiple locations of the interior of a vehicle described in amended claim 1 or the vehicle including an interior having a plurality of structural components and such tray described in amended claim 21.

The applicants respectfully submit that each of amended independent claims 1 and 21 recites structure that is not disclosed or suggested by the prior art and is patentably distinguishable from the subject matter of the references of record in this case. Claims 15 – 19 are all ultimately dependent upon amended claim 1 and add further perfecting limitations thereto. As such, the prior-art references, in combination with each other or each reference standing alone, do not suggest the respective subject inventions as defined in these claims.

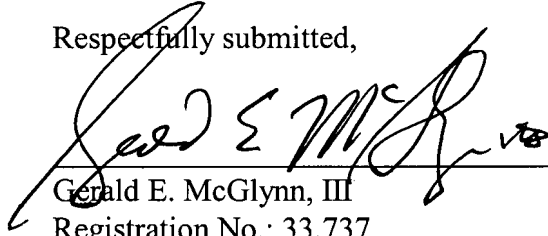
Conclusion

Each of independent claims 1 and 21, as amended, recites structure that is neither disclosed nor suggested by the prior art and is patentably distinguishable from the cited art discussed above. Each of claims 15 – 19 is dependent upon claim 1 and adds further perfecting limitations thereto. The amendments set forth herein comply with a suggestion made by the Examiner in the latest Office Action and otherwise present this application in a condition for allowance or, in the absence of allowance, in better form for consideration on appeal. As such, the applicants respectfully request

that this amendment be admitted pursuant to 37 C.F.R. § 1.116 and the rejections be withdrawn.

Accordingly, the applicants respectfully solicit allowance of the claims pending in this case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gerald E. McGlynn, III", is written over a horizontal line.

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